

Animal Control

808.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for Animal Regulation Officers and Shasta County Sheriff's Office personnel in dealing with animal regulatory related calls for service and to set forth procedures regarding animal regulation services, the handling of injured animals, and the abatement of animal nuisances.

808.2 ANIMAL REGULATION OFFICER RESPONSIBILITY

The Animal Regulations Officer (ARO) shall be responsible for enforcing local and state laws relating to animals, and for appropriately resolving or referring animal problems as outlined in this policy. The ARO shall be under the operational control of the Patrol Division. The ARO Officer's assigned working hours will be scheduled by the Patrol Division Commander.

During hours when the ARO is on duty, requests for animal control services shall be assigned by SHASCOM or the Watch Commander.

Requests for assistance by the ARO shall be acknowledged and responded to promptly.

808.2.1 SEIZURE OF ANIMALS

The lawful seizure of animals by an Animal Regulations Officer is guided by the California Penal Code section 597.1 and can be either an immediate or a pre-posted seizure process, based on the exigency of the circumstances, and which may be subject to staffing shortages and/or remoteness of location, so long as the proper County Counsel approved Notice is posted, and with supervisor approval.

808.2.2 IMMEDIATE SEIZURE

When the officer has reasonable grounds to believe that very prompt action is required to protect the health or safety of an animal or the health or safety of others, the officer shall immediately seize the animal and comply with subdivision PC 597.1(f). Whenever an officer seizes an animal based on a reasonable belief that prompt action is required to protect the health or safety of the animal or the health or safety of others, the officer shall, prior to the commencement of any criminal proceedings, provide the owner or keeper of the animal, if known or ascertainable after reasonable investigation with the opportunity for a post-seizure hearing to determine the validity of the seizure.

At the time of seizure, the officer shall post a Notice in a conspicuous place where the animal was situated or personally deliver a Notice of the seizure to the owner or keeper within 48 hours, excluding weekends and holidays. County Counsel has provided a proper notice: "NOTICE OF SEIZURE OF ANIMAL(S)" which must be posted along with the "DECLARATION OF OWNERSHIP OR RIGHT TO KEEP ANIMAL" (post-seizure) form which the owner or keeper of the animal must return to the Shasta County Animal Regulations within ten days, including weekends and holidays, of the date of notice to request a post-seizure hearing.

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If the "DECLARATION OF OWNERSHIP OR RIGHT TO KEEP ANIMAL" (post-seizure) form is properly submitted within the ten days, a post-seizure hearing must be held within 48 hours of the request, excluding weekends and holidays, as outlined in PC597.1(f)(E)(2). Failure of the owner or keeper to request or attend a scheduled hearing shall result in forfeiture of any right to a post-seizure hearing or right to challenge his or her liability for the costs incurred.

The Shasta County Sheriff's Animal Regulations Unit supervisor may authorize its own officer or employee to conduct the hearing if the hearing officer is not the same person who directed the seizure, and is senior in rank to the seizing officer. The agency may also utilize the services of a hearing officer from outside the agency for the purposes of complying with PC 597.1(f)(2).

808.2.3 PRE-POST SEIZURE

Where the need for immediate seizure is not present and prior to the commencement of any criminal proceedings, the officer shall provide the owner or keeper of the animal, if known or ascertainable after reasonable investigation with the opportunity for a hearing prior to any seizure of the animal.

The officer shall post a Notice in a conspicuous place where the animal was situated or personally deliver a Notice stating the grounds for believing the animal should be seized to the owner or keeper of the animal. County Counsel has provided a proper notice: "NOTICE OF INTENT TO SEIZE ANIMAL(S)" which must be posted along with the "DECLARATION OF OWNERSHIP OR RIGHT TO KEEP ANIMAL" (pre-seizure) form which the owner or keeper of the animal must return to the Shasta County Animal Regulations within two days, excluding weekends and holidays, of the date of the notice to request a pre-seizure hearing.

If the "DECLARATION OF OWNERSHIP OR RIGHT TO KEEP ANIMAL" (pre-seizure) form is properly submitted within two days, a pre-seizure hearing must be held within 48 hours, excluding weekends and holidays, after receipt of the request. Failure of the owner or keeper to request or attend a scheduled hearing shall result in a forfeiture of any right to a pre-seizure hearing or right to challenge his or her liability for costs incurred.

The Shasta County Sheriff's Animal Regulations Office may authorize its own officer or employee to conduct the hearing if the hearing officer is not the same person who requests the seizure, and is senior in rank to the seizing officer. The agency may also utilize the services of a hearing officer from outside the agency for the purposes of complying with PC 597.1(g)(2).

808.2.4 ANIMAL BITE REPORTS

Animal Regulation Officer's shall investigate all reported incidents of any break in the skin of a human by an animal and complete the appropriate "Rabies Control Investigation Record" to be submitted to the local health officer. If the biting animal resides within the jurisdiction of this agency the animal shall be subject to quarantine at its home or at the Animal Shelter.

If upon investigation, it is found the animal does not reside within the jurisdiction of this agency, all information obtained in the investigation shall be relayed to the agency of the jurisdiction in which the biting animal resides.

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- (a) Reasonable effort shall be made to locate, identify, and contain any biting animal.
- (b) Contact the bite victim to verify the bite if medical treatment was not sought.
- (c) Contact the owner of the suspected biting animal as soon as possible to establish a quarantine of the involved animal.
- (d) If the animal is a stray, every effort shall be made to capture and impound the animal immediately.

808.2.5 QUARANTINE OF BITING ANIMALS

All biting animals or those which had intimate contact with a suspected rabid animal are subject to quarantine as outlined in California Code of Regulations, Title 17 §2606. Animal Regulation Officer's shall establish and enforce the quarantine of such animals as follows:

- (a) A cat or dog which has caused a break in the skin of a human being is subject to a quarantine period of ten days, plus the date of exposure.
- (b) Any other mammal, other than a cat or dog, which causes a break in the skin of a human being is subject to a quarantine period of fourteen days, plus the date of exposure.
- (c) Any cat or dog with a current rabies vaccination, not administered less than 30 days prior to exposure, if revaccinated within 48 hours of exposure to a potentially rabid animal, may be quarantined for a period of 30 days, following revaccination.
- (d) Any unvaccinated cat or dog which has been bitten or exposed to a known or suspected rabid animal or has been in intimate contact with a rabid or suspected rabid animal is subject to a six month (180 day) quarantine.
- (e) If any animal subject to quarantine dies or has been killed, adequate specimen shall be obtained for rabies testing. No person shall destroy or allow to be destroyed the brain of any animal subject to quarantine.

808.2.6 POTENTIALLY DANGEROUS/VICIOUS DOG COMPLAINTS

Animal Regulation Officer's shall investigate and evaluate biting and/or attacking animals to determine if the involved animal poses a threat to public safety as a Potentially Dangerous Dog or Vicious Dog under the terms of Food and Agriculture Code §31602 & §31603.

If upon investigation, it is revealed the animal(s) meet the criteria to be considered Potentially Dangerous or Vicious, Animal Regulation Officer's shall notify the owner or keeper of such an animal as soon as possible, and may impound such an animal(s) under the authority of Food and Agriculture Code §31625, with the approval of a Watch Commander, if probable cause exists to believe the dog(s) in question pose an immediate threat to public safety, pending a hearing.

A Potentially Dangerous or Vicious Dog Hearing shall be held as outlined in Food and Agriculture Code §31621, no less than five working days, nor more than ten working days after service of notice upon the owner or keeper of the dog.

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It shall be the intention of the department to request at the hearing, that any dog under petition to be deemed "Vicious" be humanely destroyed if found to be vicious as defined in Food and Agriculture Code §31603.

808.2.7 BARKING DOG COMPLAINTS

ARO shall make reasonable efforts to assist members of the public in the abatement of dog barking which creates a public nuisance. ARO may do any or all of the following, as the situation persists:

- (a) Mail a barking dog letter to the suspected dog owner.
- (b) Attempt personal contact with the suspected dog owner at their residence.
- (c) Patrol the area to observe for excessive barking.
- (d) Provide a 'Barking Complaint Form' and 'Barking Log' to the complaining party
- (e) Submit a completed 'Barking Complaint Form' and 'Barking Log' on behalf of the complaining party to the District Attorney for review.

808.2.8 STRAY ANIMALS

If the animal has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the animal should be released to the owner and a citation may be issued if appropriate.

If a dog is taken into custody, an "Impound Notice" shall be posted at the location where the animal was picked up. The animal shall be transported to the animal shelter and booked in by shelter staff during business hour; after business hours Animal Regulation Officers shall make sure the animal has food, water, and bedding.

Animal Regulation Officers will transport any stray animals held at the Burney Station holding pens to the animal shelter as soon as possible.

808.2.9 STRAY LIVESTOCK

Stray livestock may be contained in any fenced pasture to remove it from the roadway, until an owner can be identified and contacted. If no owner can be identified or contacted, the animal should be transferred to the animal shelter within 24 hours unless other arrangements are made with a private property owner, or on public lands with the approval of the Watch Commander.

808.2.10 ANIMALS OF DECEASED OWNER

Animal Regulation Officers shall transport animals belonging to a deceased owner to the animal shelter for safekeeping if relatives or neighbors are unable to care for the animals. In certain circumstances, with the Watch Commander's approval, large numbers of animals or animals requiring special care may be sheltered in place, if it is safe to do so.

808.2.11 ANIMALS OF ARRESTED OWNERS

The arresting deputy should make a reasonable effort to ensure that animals or pets under a person's care will be provided with adequate care when that person is arrested. This is only

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required when there is no person to provide care and the arrestee is expected to be in custody for a time period no longer than would reasonably allow him/her to properly care for the animals.

Relatives or neighbors may be contacted, with the owner's consent, to care for the animals. If no persons can be found or the owner does not consent, ARO should be notified.

Animal Regulation Officers shall transport animals belonging to the arrestee to the animal shelter for impoundment when requested by law enforcement officers.

808.2.12 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced, including but not limited to Penal Code § 597 et seq. (cruelty to animals, failure to care for animals).

- (a) A preliminary investigation should be conducted on all reports of animal cruelty.
- (b) Animal Regulation Officers should not hesitate to take any immediate actions deemed necessary.
- (c) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.

808.3 INJURED DOMESTIC ANIMALS

When any injured domesticated animal is brought to the attention of a member of this agency, all reasonable attempts shall be made to contact the owner or keeper of the animal. When an owner or keeper cannot be located and the animal is not an immediate danger to the community, it shall be taken to a doctor of veterinary medicine as described below (Penal Code §597.1(b)).

- (a) During normal business hours, the animal should be taken to an authorized veterinary care clinic.
- (b) If after normal business hours, the animal should be taken to the authorized Veterinary Emergency and Critical Care Services Clinic.
- (c) The only exceptions to the above is when the animal is an immediate danger to the community or the owner of the animal is identified and takes responsibility for the injured animal.
 - 1. When the need to kill a seriously injured or dangerous animal is necessary, the department Firearms and Qualification Policy shall be followed. The decision to dispose of a seriously injured animal will rest with the on-duty Watch Commander.
- (d) When the destruction of a seriously injured or dangerous animal is necessary, the department Firearms and Qualification Policy shall be followed. The decision to dispose of a seriously injured animal will rest with the on duty Watch Commander.
- (e) When handling dead or injured animals, department employees shall attempt to identify and notify the owner of the final disposition of the animal.
- (f) Each incident shall be documented and, at minimum, include the name of the reporting party and veterinary hospital and/or person to whom the animal is released. If the Animal Regulation Officer is off duty, the information will be forwarded for follow up.

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808.4 DEPUTY RESPONSIBILITY

During hours when the Animal Regulations Officer is off-duty, or if the ARO is otherwise unavailable, the following animal related calls for service will be handled by the appropriate on-duty Deputy.

Deputies may be dispatched to animal related calls and should take appropriate actions to control the situation until the arrival of an ARO. Due to the hazards of handling animals without proper equipment, responding deputies generally should not attempt to capture and pick up any animal, but should keep the animal under observation until the arrival of the ARO. The following are examples of when deputies may consider acting before the arrival of the ARO:

- (a) When there is a threat to the public safety and/or other animals.
- (b) When animal has bitten someone, deputies should take measures to confine the animal and prevent further injury.
- (c) When an animal is creating a traffic hazard.
- (d) When the owner/handler has been arrested and there is no other alternative placement for the animal.
- (e) When the animal is gravely injured.

808.4.1 STRAY DOGS

If the dog has a license or can otherwise be identified, the owner should be contacted, if possible. If the owner is contacted, the dog should be released to the owner and a citation may be issued if appropriate. If a dog is taken into custody, it shall be transported to the Burney Station holding pens, or animal shelter making sure the animal has food, water, and bedding.

The appropriate forms must be completely filled out. Release of impounded dogs requires a fee be paid. Releases will be handled by Haven Humane Society. Haven Humane Society will accept fees and issue receipts.

The ARO will transport any animals in the Burney Station holding pens to the animal shelter as soon as possible. Once a dog has been taken into custody, all releases should be handled by Haven Humane Society or the Burney CSO's depending on the circumstances.

808.4.2 ANIMAL BITE REPORTS

Deputies shall obtain as much information as possible for forwarding to the ARO for follow-up. Deputies shall instruct the owner of a biting animal, if contacted, to keep the animal confined on the property until contacted by the ARO. If the animal is a stray, then every effort shall be made to capture and impound the animal immediately.

808.4.3 PUBLIC NUISANCE CALLS RELATING TO ANIMALS

Deputies shall obtain and forward to the ARO as much information as possible regarding the nature of the complaint, complaining person, owner information (if possible), location of problem, etc. Deputies will also document any actions taken, citation(s) issued, related report numbers, etc.

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In the event responding deputies cannot fulfill urgent requests for service because the animal is difficult or dangerous to handle, the ARO may be called on duty to handle.

All requests to call in the ARO must be approved by the Watch Commander.

808.4.4 POST ARREST PROCEDURES

The arresting deputy should make a reasonable effort to ensure that animals or pets under a person's care will be provided with adequate care when that person is arrested. This is only required when there is no person to provide care and the arrestee is expected to be in custody for a time period no longer than would reasonably allow him/her to properly care for the animals. Relatives or neighbors may be contacted, with the owner's consent, to care for the animals. If no persons can be found or the owner does not consent, the appropriate animal control authority should be notified.

808.4.5 ANIMAL CRUELTY COMPLAINTS

Laws relating to the cruelty to animals should be enforced, including but not limited to Penal Code § 597 et seq. (cruelty to animals, failure to care for animals).

- (a) An preliminary investigation should be conducted on all reports of animal cruelty and forwarded to ARO for follow-up.
- (b) Deputies should not hesitate to take any immediate actions deemed necessary.
- (c) Legal steps should be taken to protect an animal that is in need of immediate care or protection from acts of cruelty.
- (d) The assistance of an Animal Regulation Officer may be requested to assist with the investigation when appropriate for the purpose of handling the disposition of any animal(s) associated with the case.

808.5 ANIMALS UNATTENDED IN VEHICLES

If an animal left unattended in a vehicle appears to be in distress, ARO/Deputies may enter the vehicle for the purpose of rescuing the animal. ARO/Deputies should (Penal Code § 597.7(d)):

- (a) Make a reasonable effort to locate the owner before entering the vehicle.
- (b) Notify the Watch Commander for approval and take steps to minimize damage to the vehicle.
- (c) Refrain from searching the vehicle or seizing items except as otherwise permitted by law.
- (d) Leave an Impoundment Notice on or in the vehicle identifying the location where the animal has been taken and the name and Department of the member involved in the rescue.
- (e) Make reasonable efforts to contact the owner or secure the vehicle before leaving the scene.
- (f) Take the animal to an animal care facility, a place of safekeeping or, if necessary, a veterinary hospital for treatment.

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808.6 INJURED/SICK/ORPHANED WILDLIFE

Calls for injured, sick, or orphaned wildlife should be referred to the California Department of Fish and Wildlife, or Shasta Wildlife Rescue and Rehabilitation.

Calls for severely injured deer may be handled by ARO or any available deputy for the humane disposal of the animal. When the destruction of a seriously injured animal is necessary, the department Firearms and Qualification Policy shall be followed. The decision to dispose of a seriously injured animal will rest with the on-duty Watch Commander.

ARO shall attempt to collect any wild animal suspected of having rabies virus which has had intimate contact with a human or domestic animal. The brain of such animal shall not be destroyed or frozen.

808.7 CITATIONS

It should be at the discretion of the handling deputy, Animal Regulation Officer, or the Watch Commander as to the need for, or advisability of, the issuance of a citation for a violation.